

DOCKET FILE COPY ORIGINAL

RECEIVED
APR 3 2000
FCC MAIL ROOM

CUBA CITY TELEPHONE EXCHANGE COMPANY
BELMONT TELEPHONE COMPANY
2801 International Lane, Suite 207
Madison, WI 53704

March 28, 2000

Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, SW
Washington, DC 20554

Re: Joint Interim Waiver of Truth-in-Billing Format
Requirements, CC Docket 98-170

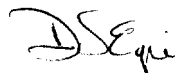
Dear Ms. Salas:

Enclosed for filing by Cuba City Telephone Exchange Company and Belmont Telephone Company is a petition for expedited interim waiver of the April 1st, 2000 implementation date of Sections 64.2401(a)(1), 64.2401(a)(2), 64.2401(c) and 64.2401(d) of the Commission's Rules. The sections in question involve certain requirements adopted in the Commission's Truth-in-Billing Format proceeding, CC Docket 98-170.

Please note that expedited treatment of this petition for waiver is requested.

Should there be any question regarding this matter, please contact me at 608-244-4940 CST.

Sincerely,



D. L. Egli
General Manager
Cuba City Telephone Exchange Company
Belmont Telephone Company

Enclosures (2)

No. of Copies rec'd 0
List ABCDE

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED
APR 13 2000
FCC MAIL ROOM

**In the Matter of Implementation
of Truth in Billing and
Billing Format**

)
)
)

CC Docket: 98-170

Expedited Treatment Requested

Joint Petition for Expedited Interim Waiver

Cuba City Telephone Exchange Company and Belmont Telephone Company (hereinafter the Companies) request expedited interim waiver (until September 1, 2000) of certain portions of section 64.2401 of the Commission's "truth-in-billing" rules, which are scheduled to take effect on April 1, 2000. Interim waiver is needed due to the Companies' service bureau's, engaged to provide billing software, inability to deliver the necessary software programming changes.

Background

In April 1999, the Commission adopted particular truth-in-billing rules that require telecommunications carriers to provide certain basic information to consumers. The new rules will enable consumers' abilities to detect cramming and slamming.

Following promulgation of the new rules, the federal Office of Management and Budget expressed its concern that some of the Commission's truth-in-billing Order "could impair the efforts of some telecommunications carriers and providers, particularly small and medium-sized carriers, to ensure that their systems are Y2K compliant". Consequently, the Commission

the new service provider indicator. This late industry adoption has not given service bureaus enough time to make the software and computer programming changes necessitated for processing of the adopted modules.

The Companies had been led to believe, by our service bureau, that the necessary changes would be made in time to be compliant with the April 1, 2000 deadline. Attached (attachment 1) is a letter dated March 27, 2000 which is the first formal notification by our service bureau of its inability to provide the necessary services to be in compliance. Due to circumstances beyond our control it is obvious we have no ability to comply as of April 1, 2000 with the provider identification, 64.201(a)(1), billing inquiry contact number, 64.2401(d), highlighting of new service providers, 64.2401(a)(2), and identification of deniable and non-deniable charges, 64.2401(c), to the extent mandated by section 64.2401. The Companies are compliant with the clear descriptions of billed charges, 64.2401(b), requirement.

Waiver Request

Accordingly, the Companies respectfully ask the Commission to waive the provider identification, billing inquiry contact number, highlight new service provider and identification of deniable and non-deniable charges information requirements of section 64.2401 of the Commission's rules until September 1, 2000. In light of the scheduled April 1st implementation date, expedited treatment of this waiver is respectfully requested. Waiver is needed only on an interim basis, and only to the extent that compliance with the requirements necessitates software and computer programming changes.

The Companies are diligently responding to the requirements and recognize the importance of implementing the Commission's new truth-in-billing rules. The requested waiver will not relieve the Companies of the obligations of section 64.2401, it will only provide limited

deferred until April 1, 2000 the effective date for compliance with rule 64.2401(a)(2), which requires that carriers highlight new service providers, and rule 64.2401(c), which requires that carriers identify deniable and non-deniable charges.

Additionally, in DA 99-3010, CC Docket No. 98-179, released December 27, 1999, the FCC granted waiver until April 1, 2000 of the following requirements:

1. Generally, temporary waiver until April 1, 2000 of compliance with the billing inquiry contact number, 64.2401(d), to the extent that compliance with these requirements will necessitate software and computer programming changes.
2. Temporary, limited waiver of the requirement to provide clear descriptions of billed charges, 64.2401(b) due to Y2K and related computer programming concerns.
3. Generally and specifically, waiver until April 1, 2000 of the requirement to list provider identification, 64.2401(a)(1), and separate charges by provider, 64.2401(a)(2), where such provider is a dial-around or alternative operator service (AOS) provider, to the extent that compliance with these requirements will necessitate software and computer programming changes.

In typical practice today, carriers occasionally bill customers for incidental (non-presubscribed) use of interexchange service. In many cases, these services are provided by carriers that share carrier identification codes (CICs) with other carriers through a clearinghouse arrangement. The exchange carrier may receive data from the clearinghouse, which are aggregated on a section of the bill. In order to identify individual service providers involved in these arrangements, the companies will need to re-program their billing systems to read "sub-CIC" information that identifies service provider. Recently, industry standards have been adopted standardizing these identifying modules as 002-B for the service provider and 020-A for


additional time to meet them. No end user customer will be harmed by grant of the waiver, nor will it provide a competitive advantage to any one carrier or type of carrier over another.

Carriers will continue to provide necessary information to address customers' billing inquiries about casual calls at the "call aggregator" level and will steadily work toward full implementation of section 64.2401 by September 1, 2000. The Companies have been providing bill inserts describing the FCC rules, how the bills depart from the rules and what actions are being taken to achieve compliance since January 1, 2000.

Given the short amount of time remaining before the April 1, 2000 deadline, the Companies respectfully request grant of this waiver on an expedited basis.

Respectfully submitted,

Cuba City Telephone Exchange Company
Belmont Telephone Company

By: 
D. L. Egli
General Manager
2801 International Lane, Suite 207
Madison, WI 53704

March 28, 2000



A Subsidiary of Hickory Tech Corporation

ATTACHMENT 1

COPY

215 East Hickory Street P.O. Box 772 Mankato, MN 56002-0772

March 27, 2000

Ph: 507.625.1691

Fax: 507.625.1057

www.nibinc.com

Ms. Debbie Egli
Cuba City Tel. Co.
2801 International Lane
Suite 207
Madison, WI 53704

Dear Debbie:

The following questions were raised during the NIBI Truth-in-Billing conference calls March 15 - 17:

1. Why has NIBI waited until the last minute to make the changes for Truth in Billing

RESPONSE:

It is not, nor has it been NIBI intention to delay the implementation of the programmatic changes required to support the TIB requirements. In 1999, NIBI undertook an extensive process of researching and evaluating the requirements as they were presented by the FCC. Many of these requirements were vague and through the investigation process, NIBI was lead to believe that a compliance manual would be published to bring clarity to these items. This manual has not been published and it now appears that it may never be written or published.

Upon completion of the investigation, it was determined that two of the requirements would necessitate programmatic solutions. NIBI applied analysts to the project to evaluate and design the solution required to comply with the requirement. It was our opinion that the level of effort to implement the solution was not that extensive, and therefore, the 4/1 date was an attainable delivery date.

The results of the analysis revealed the number of systems impacted by the new service provider module(s), as well as the complexity of those systems impacted were not assessed accurately. The scope of the project when applied to the timeline, pushed the completion date to August 1, 2000.

2. Are FCC Line Charges and 911 deniable or non-deniable?

RESPONSE:

Customers should check with their state Public Service Commission on this issue. It is NIBI's understanding that each state and potentially, each county, will have different interpretations of the charges.